

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 87-10

AN ORDINANCE

authorizing the City Manager to execute an agreement with Columbia Catholic High School to allow for the grading of a portion of the A. Perry Philips Park for storm water management purposes; authorizing the City Manager to execute a drainage easement; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute an agreement with Columbia Catholic High School to allow for the grading of a portion of the A. Perry Philips Park for storm water management purposes. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 2. The City Manager is hereby authorized to execute an easement for drainage purposes. The form and content of the easement shall be substantially as set forth in "Exhibit B" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2010.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

AGREEMENT

This agreement is entered into on this _____ day of _____, 2010, by Columbia Catholic High School, a Missouri nonprofit corporation ("School") and the City of Columbia, Missouri ("City").

WHEREAS, School owns Lot 1 of Regional Catholic High School Plat 1 located on Gans Road in Columbia, Missouri ("the School Property"); and

WHEREAS, City owns Lot 1 of A. Perry Philips Park ("the City Property"), which is adjacent to the School Property; and

WHEREAS, School wishes to develop the School Property by constructing a high school; and

WHEREAS, School is required to provide for proper storm water management as part of its development; and

WHEREAS, School has requested the City's permission to grade a portion of the City's Property in connection with School's storm water management plan and City is willing to grant this permission subject to the requirements of this agreement.

NOW, THEREFORE, the parties agree as follows:

1. City shall allow School to grade a portion of the City Property as shown on School's site plan for the School Property dated February 17, 2010. The grading work on the City Property shall result in a slope no steeper than 5:1. The slope must be mowable. School shall seed the slope with a mixture of grass seed approved by City's director of Parks and Recreation. School shall mulch, fertilize, water and maintain the grass until it is established to the satisfaction of City's director of Parks and Recreation.
2. City shall grant School a drainage easement to allow School to construct and maintain a 42-inch pipe, flared end section and rip rap for the concentrated discharge of storm water onto the City Property. School shall provide City with a legal description for this easement. School shall be responsible for all future maintenance of the drainage structures in this easement.
3. If a channel has eroded between the drainage easement and Philips Park Lake within five (5) years after an occupancy permit has been granted for the high school, School shall provide corrective measures, subject to the approval of the City's director of Parks and Recreation. Corrective measures could include grading and providing a reinforced channel to the lake, stilling basins and grade control structures.

4. School shall remove all silt fencing and other signs of construction after work on the City Property has been completed and stabilized. The City Property shall be left in a clean condition.

IN WITNESS WHEREOF, the parties have executed this agreement on the date and year first above written.

CITY OF COLUMBIA, MISSOURI

By: _____
H. William Watkins, City Manager

ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

COLUMBIA CATHOLIC HIGH SCHOOL

By: _____
President

ATTEST:

Secretary

GRANT OF EASEMENT FOR DRAINAGE PURPOSES

THIS INDENTURE, made on the _____ day of _____, 20_____, by and between the City of Columbia, a municipal corporation in the County of Boone and the State of Missouri, Grantor; Grantor's mailing address is Post Office Box 6015, Columbia, MO 65205 and the Columbia Catholic High School, a Missouri nonprofit corporation of Cole County and the State of Missouri, Grantee; Grantee's mailing address is Post Office Box 104900, Jefferson City, MO 65110.

WITNESSETH:

Grantor in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations paid by the Grantee, the receipt of which is hereby acknowledged does hereby grant unto Grantee, its successors and assigns, the privilege, authority and right to construct, operate, replace, repair and maintain a drainage course or storm sewer, along with such other rights as are necessary and incidental thereto, under, across and upon the following described real estate, owned by Grantor, situated in the County of Boone, State of Missouri, to-wit:

A TRACT OF LAND BEING PART OF LOT 1, A. PERRY PHILIPS PARK, RECORDED IN BOOK 43, PAGE 9, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING ACROSS PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 2871, PAGE 66 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE WITH THE LINES OF SAID LOT 1, N1°11'05"E, 551.40 FEET; THENCE S88°48'55"E, 55.41 FEET; THENCE N44°32'30"E, 396.00 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING THE LINES OF SAID LOT 1, N45°27'30"W, 80.00 FEET; THENCE N44°32'30"E, 40.00 FEET; THENCE S45°27'30"E, 80.00 FEET TO A SOUTHEAST LINE OF SAID LOT 1; THENCE WITH SAID SOUTHEAST LINE, S44°32'30"W, 40.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 3200 SQUARE FEET.

This grant includes the right of the Grantee, its officers, agents and employees, to cross Grantor's abutting land at any time for the purpose of exercising any of the rights herein granted.

The Grantor warrants, that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above-described property, and has the right and authority to make and execute and it will defend this Grant of Easement.

IN WITNESS WHEREOF, the City of Columbia has caused this easement to be signed by its City Manager on the day and year first written above.

CITY OF COLUMBIA

By: _____
H. William Watkins, City Manager

ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

STATE OF MISSOURI)
)ss.
COUNTY OF BOONE)

On this _____ day of _____ in the year 20____, before me personally appeared, H. William Watkins, who being by me duly sworn, acknowledged that he is the City Manager of the City of Columbia and that this instrument was signed on behalf of the City and further acknowledged that he executed the same as the free act and deed of the City for the purposes therein stated and that he has been granted the authority by the City Council of the City of Columbia to execute the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last written above.

Notary Public

Source:
Mike Hood *MH*

FISCAL and VISION NOTES:

Agenda Item No. _____

TO: City Council
FROM: City Manager and Staff
DATE: April 12, 2010
RE: Agreement with Columbia Catholic High School



City Fiscal Impact Enter all that apply:	
\$0	City's current net FY cost.
\$0	Amount of Funds Already appropriated
\$0	Amount of budget amendment needed
\$0	Estimated 2 yr net costs:
\$0	One-time
\$0	Operating / On-going
Program Impact:	
N	New program/ agency (Y/N)
N	Duplicates/expands an existing program (Y/N)
N	Fiscal impact on any local political subdivision (Y/N)
Resources Required:	
N	Requires add'l FTE personnel? (Y/N)
N	Requires additional facilities? (Y/N)
N	Requires additional capital equipment? (Y/N)
Mandates:	
N	Federal or state mandated? (Y/N)
Vision Implementation Impact Enter Below All That Applies: <u>Refer to Website:</u>	
N	Vision Impact? (Y/N or if N, go no further)
Item #	Primary Vision, Strategy and/or Goal Item#
Item #	Secondary Vision, Strategy and/or Goal Item#
Task #	FY10/FY11 Implementation Task#

EXECUTIVE SUMMARY: As part of the site planning for the new Columbia Catholic High School, the School has requested permission of the City to grade a portion of the City's A. Perry Philips Park to help provide for proper storm water management for the school site. In addition, it has been requested that the City grant the School a drainage easement to construct and maintain a concentrated discharge of storm water onto the City's property and into the Philips Park Lake. Approval of this ordinance will authorize the City Manager to sign an agreement (copy attached) with the Catholic High School approving these requests and outlining the conditions under which such actions can be taken.

DISCUSSION: Construction of a new regional Catholic High School is currently being planned on property immediately adjacent to the City's A. Perry Philips Park. As part of the site planning for the proposed development, the School is required to provide for proper storm water management. To provide for such management, the School has requested permission to grade a portion of the City's property as shown on the school's site plan for the school property (copy attached). The City has also agreed to provide a drainage easement for the discharge of storm water onto park property and ultimately into the Philips Park Lake which was designed for such purposes.

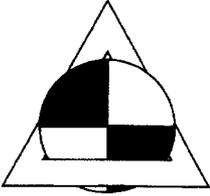
The proposed agreement includes the following conditions:

1. Any grading on City property shall result in a slope no greater than 5:1 and such slope must be mowable. School shall be responsible for seeding all disturbed areas and shall mulch, fertilize, water, and maintain the area until a grass cover is established.
2. School shall be responsible for all future maintenance of any drainage structures located within the drainage easement.
3. If a channel erodes between the drainage easement and Philips Park Lake within five years of the granting of an occupancy permit for the School, the School shall be required to provide corrective measures. Such measures could include grading, provision of a reinforced channel, stilling basins, and/or grade control structures.

FISCAL IMPACT: Approval of this agreement should have no fiscal impact on City operations.

VISION IMPACT: This agreement has no vision impact.

SUGGESTED COUNCIL ACTIONS: Approve the ordinance authorizing the City Manager to sign the proposed agreement with the Columbia Catholic High School.



allstate consultants llc
Engineering • Planning • Surveying • Investigative • Geotechnical

April 12, 2010

Mr. Mike Hood, Director
Columbia Parks and Recreation
1 South 7th Street
Columbia, MO 65201

Re: Request for construction and maintenance agreement
Regional Catholic High School

Dear Mr. Hood,

On behalf of the proposed Regional Catholic High School, we are requesting an agreement to allow grading of slopes and the construction of a storm water pipe outfall on City of Columbia park property adjacent to the proposed Regional Catholic High School. This grading and construction is shown on the Site Plan for the Regional Catholic High School prepared by Allstate Consultants and dated February 17, 2010.

Thank you for your help with this matter. If you have any questions regarding this request, please call me at 875-8799.

Sincerely,

Allstate Consultants LLC

Brian Harrington, PE, PTOE

LEGEND

- 740 PROPOSED CONTOUR
- 740 EXISTING CONTOUR
- EXISTING SANITARY SEWER
- EXISTING OVERHEAD ELECTRIC
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING UNDERGROUND ELECTRIC
- PROPOSED STORM SEWER
- FENCE
- TREES
- SILT FENCE R/W/RALE CHECK
- SHIMMER BERM
- STRAW BALE CHECK
- ROCK CHECK
- SHIMMER AVHOLE
- SHIMMER CLEAN OUT
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- POWER POLE
- COY WIRE ANCHOR
- LIGHT POLE
- GAS VALVE
- TEMPORARY SLOPE DRAW
- TEMPORARY ROCK CHECK

- Grading Area Extended on Park Property
- Drainage Easement
- Temporary silt fence

INSTALLATION SEQUENCE

- BMP'S TO BE INSTALLED FROM MASS GRADING.
- BMP'S TO BE INSTALLED AS ROUGH GRADING IS COMPLETED IN EACH AREA.
- BMP'S TO BE INSTALLED AFTER BUILT CONSTRUCTION.
- BUILT PROTECTION BMP'S TO BE INSTALLED AFTER BUILT CONSTRUCTION.

RETENTION SHALES AND BIO-RETENTION UNDERDRAINS SHALL BE INSTALLED AS ROUGH GRADING IS COMPLETED IN EACH AREA. LANDSCAPING SHALL NOT BE CONSTRUCTED UNTIL AFTER CONSTRUCTING DRAINAGE AREAS ARE STABILIZED. ROUGH GRADING MAY BE COMPLETED AND SLOPE STABILIZED WITH GRASSING FOR EROSION CONTROL. PURPOSES AFTER COMPLETION OF THE CONSTRUCTING DRAINAGE AREA. ROUGH GRADING ALL SLOPE SHALL BE REDUCED. TEMPORARY EROSION CONTROL ROUGHEN AND THE BIO-RETENTION BODIES AND WETLAND SHALES SHALL BE COMPLETED.

STREAM BUFFER STATEMENT

THIS SITE DOES NOT CONTAIN ANY STREAM BUFFERS AS DEFINED BY CHAPTER 12A, ARTICLE 12 OF THE CITY OF COLUMBIA CODE OF ORDINANCES. THIS SITE CONTAINS NO SOIL OR SANDER BLUE LINES AS SHOWN ON THE COLUMBIA QUADRANGLE OF THE USGS TOPOGRAPHICAL MAPS AND THERE ARE NO STREAMS WITH DRAINAGE AREA GREATER THAN 50 ACRES ON THIS SITE.

STORM WATER PLAN NARRATIVE

THIS IS A 2.278 ACRE TRACT THAT HAS HISTORICALLY USED FOR AGRICULTURAL PURPOSES. THE ORIGINAL CONCEPTUAL WATER QUALITY PROTECTION PLAN FOR THIS TRACT IDENTIFIED REDUCED THREE MAJOR COMPONENTS FOR THIS PARTICULAR AREA OF THE PLAN. THE IMPROVEMENTS PORTION OF THIS TRACT CURRENTLY BEING TO THE AGRICULTURE TO A 40 ACRES +/- LAKE OWNED BY THE CITY OF COLUMBIA THAT HAS RECEIVED APPROXIMATELY 100 ACRES OF IMPROVED, STRUCTURED AND WATER QUALITY TREATMENT FOR THE DEVELOPMENT OF THIS AREA. IN ADDITION TO THE LAKE IMPROVEMENTS A LARGE FLAT GRADE AND BUILT AROUND THE COLLECT STORMWATER AND DISCHARGE BY AN UNDERGROUND SYSTEM TO THE LAKE. DURING THE COURSE OF THE CONSTRUCTION OF THE UNDERGROUND SYSTEM OVERLAYS ALONG THE SLOPE TO THE NEXT LOW POINT IN SOME AREAS IS ESSENTIALLY FLAT. THESE AREAS WILL BE CONSTRUCTED WITH A SLOPE OF 1% TO 2% TO THE NEXT LOW POINT. THE PROPOSED DRAINAGE STRUCTURE NEAR THE NORTHEAST CORNER OF THE LAKE, THE UNDERDRAINED DRAINAGE AND LAY REPRESENTS TWO OF THE THREE MAJOR COMPONENTS REFERENCED ABOVE AND HAVE ALREADY BEEN CONSTRUCTED AND OPERATED. THE THIRD MAJOR COMPONENTS OF STORMING THE SITE TO REMOVE DRAINAGE AREA FROM DAVIS CREEK WETLANDS AND DRAINAGE TO THE LAKE. THIS CONCEPTUAL PLAN WILL COVER APPROXIMATELY 3 ACRES OF DRAINAGE AREA FROM DAVIS CREEK TO THE LAKE.

IN ADDITION TO THE THREE MAJOR COMPONENTS REFERENCED ABOVE, THE CONCEPTUAL STORM WATER MANAGEMENT PLAN CONFORMS TO THE ORIGINAL STORMWATER PLAN BY INCLUDING THE FOLLOWING FEATURES:

- IMPROMISED AREA IS LIMITED TO 33%.
- UNDER CONSTRUCTION AREAS SHALL BE COVERED WITH SLOPE PROTECTIVE MATERIALS TO PREVENT EROSION AND TO MAINTAIN THE CONSTRUCTION OF BIO-RETENTION TO GREAT STONE.
- STORM WATER RUNOFF FROM THE PARKING AREAS AND THE BUILDING WILL BE DIRECTED TO A BIO-RETENTION BASIN NORTH AND EAST OF THE BUILDING PRIOR TO LEAVING THE SITE.
- STORM WATER RUNOFF FROM A PORTION OF THE ATHLETIC FIELDS WILL BE DIRECTED TO A WETLAND SHALE ON THE EAST SIDE OF THE TRACT PRIOR TO LEAVING THE SITE.
- THE CONCEPTUAL STORMWATER PLAN PROVIDED FOR SUBSTANTIALLY ALL STORM WATER RUNOFF FROM IMPROMISED AREAS TO BE TREATED IN STORM WATER POND PRIOR TO LEAVING THE SITE AND DIRECTED TO THE PROPOSED CONSTRUCTED WATER QUALITY SHALE AND LAKE WETLANDS. THIS PROVIDED PROTECTED PROTECTION FOR THE LAKE AND SHALE BY CONSTRUCTING IMPROMISED AREAS AND PRE-INSTALLING THE PORTION OF THE SITE THAT WILL CONTINUE TO DRAIN TO THE LAKE AND LAKE WETLANDS. THIS WILL INCLUDE CONSTRUCTING WETLANDS AND OTHER SHALE AND WILL FLOW THROUGH A BIO-RETENTION POND TO LEAVING THE SITE.

EROSION CONTROL NOTES

- ALL EROSION CONTROL DEVICES SHALL BE INSTALLED IN CONFORMITY WITH THE CITY OF COLUMBIA'S STORM DRAINAGE DESIGN MANUAL AND CHAPTER 12-A OF THE ORDINANCES OF THE CITY OF COLUMBIA.
- NATURAL GROUND COVER WILL BE MAINTAINED WHERE POSSIBLE.
- SHIELDS SHALL BE PROTECTED WITH SILT FENCE, "TURTLE BACKS" OR EQUIVALENT BARELY AFTER CONSTRUCTION.
- EROSION CONTROL STRUCTURES WILL BE INSTALLED AT LOCATIONS DETERMINED AT END OF EACH DAY WHERE PRACTICAL.
- EROSION CONTROL STRUCTURES WILL BE MAINTAINED IN PLACE UNTIL CONSTRUCTIVE DRAINAGE AREA SURFACES ARE FULLY ESTABLISHED AND ALL CONSTRUCTED (RELOCATED) DRAINAGE CHANNELS AS SHOWN AS PRACTICAL.
- INSTALL EROSION CONTROL STRUCTURES PARALLEL TO ALL CONSTRUCTED (RELOCATED) DRAINAGE CHANNELS AS SHOWN AS PRACTICAL.
- PROVIDE EROSION CONTROL AROUND ANY SOIL STOCKPILE AREAS.
- EROSION CONTROL STRUCTURES SHOULD BE FIELD MONITORED TO ACCOMPLISH DESIRED RESULTS.
- THE EXISTING POND SHALL BE DRAINED AND ANY SOIL OR SPILLAGE AND ANY FILL SHOULD BE REMOVED. THE POND SHALL NOT BE REGRADED UNTIL THE DEPTH OF POOLED WATER HAS BEEN REDUCED TO LESS THAN 2'.

EROSION CONTROL NARRATIVE

THE PURPOSE OF THIS PROJECT IS TO CONSTRUCT A REGIONAL CATHOLIC HIGH SCHOOL AND ITS ASSOCIATED IMPROVEMENTS ON 2.278 ACRES OF LAND ON THE SOUTHWEST SIDE OF DAVIS CREEK IN COLUMBIA, MISSOURI. THE DEVELOPMENT AREA AND IS BOUNDED ON THE SOUTH BY DAVIS CREEK AND CITY PARKWAY (DAVIS CREEK RELOCATION AREA), ON THE NORTH AND WEST BY CITY PARKWAY (JOHNSON PARKWAY) AND BOUNDED ON THE EAST BY DAVIS CREEK AND CITY PARKWAY (JOHNSON PARKWAY). THE DEVELOPMENT AREA IS APPROXIMATELY 100 ACRES OF THE DEVELOPMENT DRAINAGE AREA. THE DEVELOPMENT AREA IS APPROXIMATELY 100 ACRES OF THE DEVELOPMENT DRAINAGE AREA. THE DEVELOPMENT AREA IS APPROXIMATELY 100 ACRES OF THE DEVELOPMENT DRAINAGE AREA.

- THE SITE IS CURRENTLY PASTURE LAND. AFTER CONSTRUCTION THE SITE WILL BE LARGELY A BURNING OF THE IMPROMISED AREA. IN ADDITION AFTER CONSTRUCTION A MAJORITY OF THE SITE'S STORMWATER WILL BE DIRECTED THROUGH WATER QUALITY BMP'S THAT WILL REDUCE THE IMPROMISED AND IMPROMISED AREAS.
- EROSION CONTROL STRUCTURES SHALL BE INSTALLED AT LOCATIONS DETERMINED AT END OF EACH DAY WHERE PRACTICAL.
- EROSION CONTROL STRUCTURES WILL BE MAINTAINED IN PLACE UNTIL CONSTRUCTIVE DRAINAGE AREA SURFACES ARE FULLY ESTABLISHED AND ALL CONSTRUCTED (RELOCATED) DRAINAGE CHANNELS AS SHOWN AS PRACTICAL.
- INSTALL EROSION CONTROL STRUCTURES PARALLEL TO ALL CONSTRUCTED (RELOCATED) DRAINAGE CHANNELS AS SHOWN AS PRACTICAL.
- PROVIDE EROSION CONTROL AROUND ANY SOIL STOCKPILE AREAS.
- EROSION CONTROL STRUCTURES SHOULD BE FIELD MONITORED TO ACCOMPLISH DESIRED RESULTS.
- THE EXISTING POND SHALL BE DRAINED AND ANY SOIL OR SPILLAGE AND ANY FILL SHOULD BE REMOVED. THE POND SHALL NOT BE REGRADED UNTIL THE DEPTH OF POOLED WATER HAS BEEN REDUCED TO LESS THAN 2'.

GRADING & EROSION CONTROL PLAN
REGIONAL CATHOLIC HIGH SCHOOL
 COLUMBIA, MO

REVISED:
 08-25-09
 09-14-09
 02-17-10



ALLSTATE CONSULTANTS, INC.
 11111 BENTLEY BLVD.
 SUITE 100
 COLUMBIA, MISSOURI 65201
 (620) 871-8100

DATE: 05-15-2009
 JOB NUMBER: 07085.02
 SCALE: 1" = 60'

SHEET: C2.0

